

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI
(Springfield)**

In re:

417 Rentals, LLC

Debtor.

MID-MISSOURI BANK

Movant

Case #17-60935-can11

Chapter 11

**DEBTOR'S RESPONSE TO
MOTION FOR ADEQUATE PROTECTION
FILED BY MID-MISSOURI BANK**

COMES NOW 417 Rentals, LLC (Debtor) and for its Response for Adequate Protection of Mid-Missouri Bank (Bank) [Doc. 35] states:

1. The Debtor admits that an Order for Relief was entered in this case on August 25, 2017 and that the Debtor has retained in possession of its real and personal property as a Debtor-in-Possession since that date.
2. The Debtor admits that this Court has jurisdiction pursuant to *28 U.S.C. §157* and that this is a core proceeding.
3. The Debtor further admits that the Bank is the holder of promissory notes described in paragraphs 4, 5 and 6 of the Bank's Motion.
4. The Debtor admits the allegations contained in paragraph 7 of the Bank's Motion.
5. The Debtor further admits that there is an amount due on the aforementioned Promissory Notes as alleged in paragraphs 8 and 8; however, the balances contained in the Bank's Motion are incorrect.
6. The Debtor denies the allegations contained in paragraphs 12, 13 and 14 of the Bank's Motion.

7. No cause exists for relief from the automatic stay pursuant to *11 U.S.C. §362(d)(1)* as the Bank is adequately protected.

8. The property subject of the Bank's Motion is necessary for an effective reorganization pursuant to *11 U.S.C. §362(d)(B)*.

9. The Debtor hereby offer the following additional adequate protection pursuant to *11 U.S.C. §361*:

(a) The Debtor will continue to make monthly interest payments to the Bank on the Promissory Notes.

(b) The Debtor will continue to keep the property fully insured and will segregate payments for taxes.

(c) The Debtor will make all necessary repairs, maintenance and improvements in the property.

(d) The Debtor will promptly respond to and cure any deficiencies or complaints by any governmental unit involving code violations or other regulatory requirements.

WHEREFORE, having fully responded to the Bank's Motion for Adequate Protection, the Debtor prays the Court enter an order denying the Motion for relief from the automatic stay and granting adequate protection as provided in the Debtor's Response, and for such other and further relief as is just and proper.

BERMAN, DeLEVE, KUCHAN & CHAPMAN, LLC

By: /s/ Ronald S. Weiss

By: /s/ Joel Pelofsky

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ATTORNEYS FOR DEBTOR

Certificate of Service

The undersigned does hereby certify that on September 25, 2017, the foregoing Debtor's Response to Motion for Adequate Protection filed by Mid-Missouri Bank was filed with the Court under its ECF System and was served on said date by electronic mail directed to all parties entitled to electronic notice, and by mailing a copy thereof by United States Mail, postage prepaid, directed to:

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(Attorneys for Mid-Missouri Bank)

/s/ Ronald S. Weiss

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Attorney for Debtor